



General Assembly

February Session, 2006

Raised Bill No. 5484

LCO No. 1754

01754_____PS_

Referred to Committee on Public Safety and Security

Introduced by:
(PS)

AN ACT CONCERNING ILLEGAL ACCESS DEVICES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2006*) As used in section 2 of
2 this act:

3 (1) "Access device" means any card, plate, code, account number,
4 electronic serial number, mobile identification number, personal
5 identification number or other telecommunication service, equipment
6 or instrument identifier, card-reading device, scanning device, encoder
7 or any other means of account access that can be used alone or in
8 conjunction with another access device to obtain money, credit, goods,
9 services, property, medical information or any other thing of value of
10 another person, except for a transfer of funds originated solely by
11 paper instrument.

12 (2) "Counterfeit access device" means any access device or
13 identifiable component thereof that is forged, fictitious or altered.

14 (3) "Unauthorized access device" means any access device that is
15 lost, stolen, expired, revoked, cancelled or obtained with intent to

16 defraud.

17 (4) "Produces" includes designing, altering, authenticating,
18 duplicating or assembling.

19 (5) "Traffic" means to transfer to another, or to obtain with the intent
20 to transfer or dispose of.

21 (6) "Device making equipment" means any equipment, mechanism,
22 or impression designed or primarily used for making an access device
23 or counterfeit access device.

24 (7) "Credit card system member" means the credit card issuer or a
25 financial institution or other entity affiliated with the credit card issuer.

26 (8) "Scanning receiver" means any device or apparatus that can be
27 used to intercept a wire or electronic communication.

28 Sec. 2. (NEW) (*Effective October 1, 2006*) (a) A person is guilty of
29 illegal possession of an access device when, (1) knowingly and with
30 intent to defraud or commit identity theft, as defined in section 53a-
31 129a of the general statutes, the person produces, has custody of or
32 traffics in one or more (A) counterfeit access devices, (B) unauthorized
33 access devices, (C) device making equipment, (D) scanning receivers,
34 or (E) hardware or software used for altering or modifying
35 telecommunications instruments in order to obtain unauthorized
36 access to telecommunications services, or (2) knowingly and with
37 intent to defraud, the person presents for payment one or more records
38 of transactions made by the access device to the credit card system
39 member for payment.

40 (b) Illegal possession of an access device is a class D felony for
41 which the minimum fine imposed shall be five thousand dollars or
42 twice the value obtained by the offense, whichever is greater.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	New section
Sec. 2	<i>October 1, 2006</i>	New section

Statement of Purpose:

To make the possession or fabrication of access devices used to commit identity theft illegal.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]